



August 6, 2004

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EX PARTE – VIA ELECTRONIC FILING

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street SW
Washington, D.C. 20554

Re: CC Docket No. 01-338
Notice of Written Ex Parte Presentation

Dear Ms. Dortch:

The attached document is provided for the record of the captioned proceeding. By letter dated July 1, 2004, GCI explained that where an ILEC cannot provide a CLEC with unbundled access to a voice-grade loop in the central office, the Commission should specify that among the alternative “technically feasible method[s] of unbundled access” is the provision of access to the loop in combination with local switching and related signaling, and common transport. Without this remedy, an ILEC would be able to deny access to unbundled loops simply by installing intervening concentrator devices between the central office and the customer premises, rendering loops inaccessible at the central office. This result is contrary to the Commission’s determination that even in the case of IDLC-served loops, where neither spare copper nor access via UDLC is available, “incumbent LECs must present requesting carriers a technically feasible method of unbundled access.”¹

The attached document explains and illustrates the loop architecture scenarios in which access to the customer loop is possible and, alternatively, where access to the customer loop is blocked by the ILEC network architecture. In those cases where access is blocked, the ILEC is unable to provide unbundled access to a voice-grade loop at the central office, and has not equipped its network to do so via other means (*i.e.*, via universal DLCs, multi-hostable IDLCs, or homerun copper loops), then access via unbundled elements has been the only technically feasible method available for the ILEC

¹ *Triennial Review Order* at ¶ 297.

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to provide unbundled access to the loop, as required by the Commission. Thus, under these circumstances, the Commission should specify that among the alternative “technically feasible method[s] of unbundled access” is the provision of access to the loop in combination with local switching and related signaling, and common transport.

In accordance with the Commission’s rules, a copy of this letter with the attachment is being filed in the above-captioned proceeding.

Sincerely,

/s/

Tina M. Pidgeon

Vice President, Federal Regulatory Affairs

cc: Michelle Carey
Tom Navin
Ian Dillner
Russell Hanser